

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRANDYWINE VILLAGE ASSOCIATES,

Plaintiff,

v.

CARLINO EAST BRANDYWINE, L.P., et al.,

Defendants.

CIVIL ACTION
NO. 16-5209

ORDER

AND NOW, this 1st day of August, 2023, upon review of Defendants' pending Motion to Dismiss Plaintiff's First Amended Complaint and Plaintiff's pending Motion for Attorneys' Fees and Costs and all responses and replies thereto, and after argument being held, it is hereby **ORDERED** as follows:

1. Defendants' Motion to Dismiss Plaintiff's First Amended Complaint (Docket No. 271) is **GRANTED**;
2. Insofar as Defendant Giant joined in Carlino's Motion to Dismiss (Docket No. 277), Plaintiff's claims against Defendant Giant are **DISMISSED**;
3. Plaintiff's Motion for Attorneys' Fees and Costs (Docket No. 278) is **DENIED**;
4. Plaintiff's First Amended Complaint is **DISMISSED** with prejudice; and
5. This matter is **CLOSED**.

BY THE COURT:

/s/ Jeffrey L. Schmehl
Jeffrey L. Schmehl, J.